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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/010,278

11/05/2001

Joe O. Trahan

TROJAN R.-001

5071

7590

01/12/2004

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EXAMINER

WINTER, GENTLE E

ART UNIT

PAPER NUMBER

1746

DATE MAILED: 01/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application N .

10/010,278

Applicant(s)

TRAHAN, JOE O.

Examin r

Gentle E. Winter

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1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 November 2003.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_      6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election of Group I, claims 1-7 in Paper No. 111003 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

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### ***Information Disclosure Statement***

It is noted that an Information Disclosure Statement under 37 CFR 1.97 for the present application has not been received by the Office. If Applicant believes this to be in error, Applicant is urged to submit documentation supporting a proper filing of any previously submitted information disclosure statements in order to have such disclosures considered by the Office.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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Claims 1-<sup>7</sup>~~8~~ are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 5,460,566 to Joe O. Trahan (Trahan)

Claim 1 of the instant application is read on by Trahan beginning at column 6, line 62-column 7, line 15 and column 7, line 26-30. Wherein Trahan disclose an apparatus for cleaning articles in a fluid and oscillating medium, which comprises a frame; a container having a central axis perpendicular to an article inlet opening in the container and angularly mounted to the frame so that the container's axis is nonperpendicular to a horizontal cross-section of the frame by means of a plurality of opposing parallel compression and tension springs having differing spring rates for enhanced oscillation of the container which holds said articles a means for injecting a cleaning fluid into the container for cleaning the articles contained in the container; a means for oscillating the container within the frame; a means for draining excess debris and cleaning fluid from the articles in the container once oscillation begins; and a means for filtering and recirculating the cleaning fluid from the solid debris back into the container, said filter means comprising a series of filters. A means for injecting a cleaning fluid into the container for cleaning the articles in the container is disclosed at column 7, line 26-30.

As to claim 2, disclosing that an electric motor is attached to the container. The same is disclosed in Trahan, specifically, Trahan discloses: "It is an alternative embodiment to provide an electrical power source at 18 for smaller vibrating abrasive cleaning apparatus." See figure 2 and relevant associated text. Figure 2 also shows the container 26 in mechanical contact with the electric motor.

As to claim 3, disclosing a frame containing a plurality of integrally connected unitary components of square tubing for facilitating stability of a container, oscillating means and drainage means. The same is identically disclosed at column 8, line 35 *et seq.*

As to claim 4, disclosing that the container is mounted to the frame by a plurality of opposing parallel compression and tension springs for oscillation of the container. The same is disclosed at column 7, line 19 *et seq.*

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As to claim 5, disclosing that the injection means comprises an intake manifold; and a plurality of injection nozzles horizontally displaced on the intake manifold and over the container for injection of a cleaning fluid into the container to clean the articles contained therein. The same is disclosed at column 7, line 23 *et seq.*

As to claim 6, disclosing that the drainage means comprises an opening in the container; a reservoir below the opening and containing a plurality of ports; a plurality of nozzles connected to the reservoir and ports and in alignment with the filter means, the same is disclosed at column 7, line 52 *et seq.*

As to claim 7, disclosing that the filter means comprises a duct leading from the draining means to a first filter; and a duct leading from the first filter to a second filter wherein said second filter

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contains a circulation pump assembly to circulate the cleaning fluid back into the container through the injection nozzle means.

***Conclusion***

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gentle E. Winter whose telephone number is (571) 272-1310.

The examiner can normally be reached on Monday-Friday 7:00-3:30.

2. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy P. Gulakowski can be reached on (571) 272-1302. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

3. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 273-1310.

Gentle E. Winter  
Examiner  
Art Unit 1746

January 5, 2004

*Zeinab Elarini*

**ZEINAB EL-ARINI  
PRIMARY EXAMINER**